

**Planning Commission  
Special Meeting  
April 5, 2017**

1. Chairman Plummer **called the meeting to order** at 6:00 PM.

2. **ROLL CALL:**

Commissioners present:	Daniel Cross Bill Lyons Kelye McKinney Michael Roberts Brian Plummer
Commissioners absent:	Michele Hutchinson Kristian Watford
Staff members present:	Matt Wheeler, Director of Community Development Jim Bermudez, Development Services Division Manager Steve Prosser, Senior Planner Robert Poetsch, Associate Planner Leslie Walker, Assistant City Attorney

3. **PLEDGE OF ALLEGIANCE** – led by Michael Roberts

4. **CITIZENS ADDRESSING THE COMMISSION ON MATTERS NOT ON THE AGENDA**

Chairman Plummer asked if there were any citizens wishing to address the Commission regarding matters not on the agenda. There were none.

5. **EXPARTE COMMUNICATION**

Commissioner Roberts and Commissioner Cross both indicated they spoke with James McCloud regarding the Independence at Lincoln project.

6. **CONSENT AGENDA**

There were no items under consent agenda.

7. **PUBLIC MEETING**

**A. INDEPENDENCE AT LINCOLN DEVELOPMENT PROJECT – CERTIFICATION OF FINAL EIR, AMENDMENT TO THE LINCOLN GENERAL PLAN; REZONING OF THE PROJECT SITE; CONSIDERATION OF A GENERAL DEVELOPMENT PLAN; CONSIDERATION OF A LARGE LOT VESTING TENTATIVE SUBDIVISION MAP; AND CONSIDERATION OF SMALL LOT VESTING TENTATIVE SUBDIVISION MAO TO ALLOW 575 LOW AND MEDIUM DENSITY SINGLE FAMILY UNITS, THE CREATION OF A 2.9 ACRE MIXED USE PARCEL FOR FUTURE DEVELOPMENT, MULTIPLE NEIGHBORHOOD PARKS, TRAIL SYSTEM, AND OPEN SPACE ON APPROXIMATELY 194 ACRES SOUTH OF NICOLAUS ROAD, WEST OF WAVERLY DRIVE, AND SOUTH AND WEST OF THE GLENMOOR RESIDENTIAL NEIGHBORHOOD (APNS: 021-262-006, 021-262-010, 021-262-012, AND 021-262-038).**

Before Steve Prosser began his presentation, Commissioner Cross recused himself because his home is located within the boundaries of the project. Steve Prosser, Senior Planner presented item 7A. Mr. Prosser offered opening remarks, background information and general updates on the project. Mr. Prosser explained that the project site is located on the former location of the City of Lincoln Wastewater Treatment Facility. Mr. Prosser noted that the facility was deactivated in 2004. Mr. Prosser explained that since 2004, the City has been implementing a long-term decommissioning process for the facility. Mr. Prosser stated that the decommission activities are finished and the City is waiting for receipt of written final closure notification. Mr. Prosser explained that adjacent land uses include single-family, residential neighborhoods to the northeast and east; a property used for school bus and maintenance operation to the northeast; Santa Clara Memorial Park Cemetery and single-family,

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residential neighborhoods to the south; undeveloped land to the west and southwest; and Nicolaus Road, commercial development, and undeveloped land to the north.

Mr. Prosser explained that the project would include the construction of 575 detached single-family residential homes on 92.3 acres, a 2.7 acre mixed-use parcel, 45.8 acres of passive open space, 13.6 acres of active parks including a community center, and approximately four acres of public facilities and major roadway areas.

Mr. Prosser explained that the California Environmental Quality Act (CEQA) requires that the City complete an environmental review prior to initiating any discretionary actions for the project. Mr. Prosser explained that the review process for Independence included a Notice of Preparation which was circulated for thirty days; a public scoping meeting conducted by the City on December 16, 2015, a draft Environmental Review Report which was circulated for a forty-five day comment period on September 30, 2016; a public hearing held on October 26, 2016 to receive comments on the draft EIR. Mr. Prosser noted that after the close of the draft EIR public comment period, responses to written and oral comments were prepared as part of the Final EIR.

Mr. Prosser concluded by stating that staff have concluded that the proposed Independence at Lincoln Development Project, with the amendments to the General Plan land use designations, zoning, and approval of the General Development Plan is consistent with the City's General Plan. Mr. Prosser noted staff is recommending approval of the project.

Following the presentation by Mr. Prosser, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission and City Staff. Mr. Prosser heard Commission members' comments, answered questions and provided clarification.

Chairman Plummer than asked the applicant if he wished to address the Commission.

Phil Rodriguez, Lewis Operating Corporation praised staff for their efforts as well as the City Attorney. Mr. Rodriguez provided several PowerPoint Slides explaining the parks and trail system. Throughout the presentation, Mr. Rodriguez answered Commission members' questions, provided clarification and general updates on the project.

Following the presentation by Mr. Rodriguez, Chairman Plummer opened the public comment period at 6:46 p.m.

James McCloud, Lincoln Resident on behalf of himself and seven other residents who were in attendance. Mr. McCloud submitted written comment of his statement to the Commission. Mr. McCloud explained that he shares a common property line with the Project and he had reviewed the Environmental Impact Report and has reviewed the proposed layout of the project. Mr. McCloud noted that he had discussed the project with Phil Rodriguez and noted that Phil had done an outstanding job of outreach to the residents. Mr. McCloud explained that he wanted to address two issues of concern. Mr. McCloud noted the first item was related to the increasing traffic on Nicholas Road and the need for a street light system. Mr. McCloud noted that it was his understanding that the Project is installing a street light system on their frontage of Nicolaus Road, which he believe is a good first step, but he encouraged the City to include a street light system on Nicolaus Road. Mr. McCloud also noted that he wanted to discuss the interface between the Independence Project and the Fullerton Ranch Project. Mr. McCloud asked the Commission if they would give the same consideration of a pedestrian paseo between the Independence Project and the Fullerton Ranch Project. Mr. McCloud's full statement can be found in the official meeting record.

Mr. Trocomo, Lincoln Resident stated he lives directly across from the development and understand that there are approximately 35 acres of open space and he understood that the City would have control of that space. Mr. Trocomo asked the staff if the remaining open space would consist of a park like section or if it would just remain as existing. Mr. Trocomo also asked if there would be access to the

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project off of First Street.

Tony Frayji, Frayji Design Group stated that he completed a review of the documents as they relate to the interfacing of his project and he has an issue of the proposed housing type and the visual impact. Mr. Frayji noted that they would like to recommend the following limitation on the lots backing to their project and have 10' minimum setbacks for up to 50% of the house max and the rest of the house is set at 15' minimum. Mr. Frayji also stated that they would like to have 5' minimum setbacks for accessories as long as they do not cover more than 20% of the lot width. A copy of the full statement can be found in the official meeting record.

Sean O'Neill, Engineer stated he agreed with everything that Mr. Frayji presented and asked staff if they could define what an accessory structure was.

Following the comments by Mr. O'Neill, Chairman Plummer asked if there were any other members of the public wishing to comment. There were none.

The public comment period was closed at 7:00 p.m.

Following the public comment period Chairman Plummer asked the Commission if they had any questions. A further discussion ensued between the Commission and City Staff.

Following the public comment period, Chairman Plummer asked if there was a motion to approve the first of the six resolutions.

Resolution 2017-13 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LINCOLN RECOMMENDING CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE INDEPENDENCE AT LINCOLN DEVELOPMENT PROJECT, MAKING FINDINGS CONCERNING MITIGATION MEASURES, ADOPTING A MITIGATION MONITORING PROGRAM, MAKING FINDINGS CONCERNING ALTERNATIVES AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE INDEPENDENCE AT LINCOLN DEVELOPMENT PROJECT.

Motion: (Offered by Commissioner Lyons, seconded by Commissioner Roberts) to approve the certification of the final Environmental Impact Report for the Independence at Lincoln Project.

Vote: (4/0: Lyons, Roberts, McKinney, Plummer)

AYES: Commissioner: Lyons, Roberts, McKinney, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner: Cross

ABSENT: Commissioner: Hutchinson, Watford

Resolution 2017-14 – A RESOLUTION RECOMMENDING APPROVAL BY THE PLANNING COMMISSION TO THE CITY COUNCIL ON THE GENERAL PLAN AMENDMENT FOR THE INDEPENDENCE AT LINCOLN PROJECT.

Motion: (Offered by Commissioner Lyons, seconded by Commissioner Roberts) to recommend approval by the Planning Commission to the City Council on the General Plan amendment for the Independence at Lincoln Project.

Vote: (4/0: Lyons, Roberts, McKinney, Plummer)

AYES: Commissioner: Lyons, Roberts, McKinney, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner: Cross

ABSENT: Commissioner: Hutchinson, Watford

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Resolution 2017-15 – RESOLUTION RECOMMENDING APPROVAL BY THE PLANNING COMMISSION TO THE CITY COUNCIL OF THE REZONING FOR THE INDEPENDENCE AT LINCOLN PROJECT.

Motion: (Offered by Commissioner Lyons, seconded by Commissioner McKinney) to recommend approval by the Planning Commission to the City Council of the rezoning for the Independence at Lincoln Project.

Vote: (4/0: Lyons, McKinney, Roberts, Plummer)

AYES: Commissioner: Lyons, McKinney, Roberts, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner: Cross

ABSENT: Commissioner: Hutchinson, Watford

Resolution 2017-16 – RESOLUTION RECOMMENDING APPROVAL BY THE PLANNING COMMISSION TO THE CITY COUNCIL OF THE GENERAL DEVELOPMENT PLAN FOR THE INDEPENDENCE AT LINCOLN PROJECT.

Motion: (Offered by Commissioner Roberts, seconded by Commissioner McKinney) to recommend approval by the Planning Commission to the City Council of the General Development Plan for the Independence at Lincoln Project.

Vote: (4/0: Roberts, McKinney, Lyons, Plummer)

AYES: Commissioner: Roberts, McKinney, Lyons, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner: Cross

ABSENT: Commissioner: Hutchinson, Watford

Resolution 2017-17 – RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF THE LARGE LOT VESTING TENTATIVE MAP FOR THE INDEPENDENCE AT LINCOLN PROJECT (ASSESSOR'S PARCEL NUMBERS: 021-262-006, 021-262-010, 021-262-012, AND 021-262-038)

Motion: (Offered by Commissioner Roberts, seconded by Commissioner McKinney) to recommend approval by the Planning Commission to the City Council of the large lot vesting tentative subdivision map for the Independence at Lincoln Project.

Vote: (4/0: Roberts, McKinney, Lyons, Plummer)

AYES: Commissioner: Roberts, McKinney, Lyons, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner: Cross

ABSENT: Commissioner: Hutchinson, Watford

Resolution 2017-18 – RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY COUNCIL OF THE SMALL LOT VESTING TENTATIVE SUBDIVISION MAP FOR THE INDEPENDENCE AT LINCOLN PROJECT (ASSESSOR'S PARCEL NUMBERS: 021-262-006, 021-262-010, 021-2692-012, AND 021-262-038)

Motion: (Offered by Commissioner McKinney, seconded by Commissioner Lyons) to recommend approval by the Planning Commission to the City Council of the small lot vesting tentative subdivision map for the Independence at Lincoln Project with the following modifications: Removal of condition 116 and 145 and the added language to condition 147 regarding the phasing and timing for park completion by the developer.

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Vote: (4/0: McKinney, Lyons, Roberts, Plummer)  
AYES: Commissioner: McKinney, Lyons, Roberts, Plummer  
NOES: Commissioner:  
ABSTAINED: Commissioner: Cross  
ABSENT: Commissioner: Hutchinson, Watford

At the conclusion of item 7A, Chair Plummer called for a five minute break at 7:55 p.m.

The Commission reconvened at 8:07 p.m. with Steve Prosser presenting item 8A.

## **8. GENERAL BUSINESS**

### **A. GENERAL PLAN CONSISTENCY – WESTERN PLACER UNIFIED SCHOOL DISTRICT PROPOSED LINCOLN HIGH SCHOOL EXPANSION (APNS: 008\*081-012, 008-043-006 AND 008-043-007).**

Steve Prosser, Senior Planner presented item 8A. Mr. Prosser offered opening remarks, background information and general updates on the project. Mr. Prosser explained that in February the Community Development Department received a notice of Western Placer Unified School District proposed High School expansion regarding the possible site acquisition of .55 vacant acres of land immediately north of the high school. Mr. Prosser explained that the notice requested the Planning Department and Planning Commission analyze the subject properties relative to the construction and operation of a public high school facility. Mr. Prosser concluded his presentation stating that staff would recommend based on the examination completed by staff that the Planning Commission make a finding that the proposed School District purchase of approximately .55 acres of Low Density Residential land is in conformance with the City's General Plan and that either development as single family residences or ownership of the site by the School District is in furtherance of community planning and safety for all.

Following the presentation by Mr. Prosser, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission and City Staff. Mr. Prosser heard Commission members' comments, answered questions and provided clarification.

Following the discussion between the Commission and staff, Chair Plummer asked if there was a motion to approve the resolution.

Resolution 2017-19 – RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF LINCOLN MAKING A DETERMINATION REGARDING COMPREHENSIVE COMMUNITY PLANNING AND PUPIL SAFETY PER CALIFORNIA PUBLIC RESOURCES CODE SECTION 21151.2; AND A DETERMINATION OF CONFORMITY WITH THE GENERAL PLAN PER SECTION 65402 OF THE CALIFORNIA GOVERNMENT CODE REGARDING THE POTENTIAL PURCHASE OF APPROXIMATELY .55 ACRES OF 'LOW DENSITY RESIDENTIAL' DESIGNATED LAND FOR FUTURE EXPANSION OF THE EXISTING LINCOLN HIGH SCHOOL SITE AND LOCATED AT THE SOUTHEAST AND SOUTHWEST INTERSECTION OF 9<sup>TH</sup> STREET AND THE REMNANT PORTION OF L STREET; THE SUBJECT PARCELS ARE APNS: 008-081-012, 008-043-006 AND 008-043-007)

Motion: (Offered by Commissioner Lyons, seconded by Commissioner Roberts to recommend approval by the Planning Commission making a determination regarding comprehensive community planning and pupil safety per California public resource code and determination of conformity with the General Plan for the potential purchase of approximately .55 acres of land for future expansion of the existing Lincoln High School.

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Vote: (4/0: Lyons, Roberts, McKinney, Plummer)

AYES: Commissioner: Lyons, Roberts, McKinney, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner:

ABSENT: Commissioner: Cross, Hutchinson, Watford

## **B. WORKSHOP AND DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE LINCOLN ZONING ORDINANCE.**

Jim Bermudez, Development Services Manager provided a brief overview of the objective for the workshop. Chair Plummer asked the Commission how they wished to proceed. Chair Plummer asked the Commission if they wanted to continue the meeting and or postpone the item for the regularly scheduled meeting in April. The Commission asked to continue the item to the regular scheduled meeting of April 19<sup>th</sup>.

### **9. OLD BUSINESS**

Chairman Plummer asked if there was an old business. There was none.

### **10. NEW BUSINESS**

Chairman Plummer asked if there was any new business. There was none.

### **11. COMMISSIONER COMMENTS**

Chairman Plummer asked if there were any Commissioner comments.

Commissioner Lyons asked about the status of the Community Development Department obtaining tablets for the Planning Commission.

### **12. STAFF UPDATES**

Chairman Plummer asked if there were any staff updates. There were none.

### **13. MEETING ADJOURNMENT**

**The meeting adjourned at 8:24 p.m.**

SUBMITTED BY:

Angela Alloway, Secretary